

REMARKS/ARGUMENTS

Entry of this amendment and reconsideration of all claims remaining of record as presently amended are respectfully requested. Claims 1-36 as originally and previously presented are currently pending in the application.

By this amendment, independent claim 29 is amended above to correct non-idiomatic grammar and to more clearly set forth and distinctly claim aspects of applicants' invention.

The 35 U. S. C. § 103(a) Rejections:

Claims 1-3, 5-6, 9-18, 20-21, 24-26, 28-31 and 31-34 stand under 35 U.S.C. §103(a) as allegedly being unpatentable over Sugimoto (US 6,626,756) in view of the "Microsoft Golf 2001" reference. In addition, claims 7-8 and 22-23 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Sugimoto in view of the "Microsoft Golf 2001" reference and further in view of the "Hot Shots Golf 2" game manual, and claims 32-33 and 35-36 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Sugimoto in view of the "Microsoft Golf 2001" reference, in view of the "Hot Shots Golf 2" game manual and in further view of the "Hot Shots Golf 2" screenshots.

The October 10, 2007 Final Office Action admits that Sugimoto does not disclose "the use of a input received from the player activating a switch wherein the activation of the switch causes a second positioning determining mechanism to determine a first and second position on the golf game display gauge" and uses Steinberg's review of Microsoft Golf 2001 to address this deficiency by relying on the Microsoft Golf 2001

game's "intermediate player" mode of operation. In particular, the Final Office Action refers to the Microsoft Golf 2001 game's use of the "classic two or three click method of handling [the swing], with the only difference from the easy mode being the need to set the snap, which initiates straight shots, hooks, and slices" and asserts that the gaming method in Microsoft Golf 2001 "reduces the amount of button inputs or activations of the button switches needed to causes the game to determine a golf hit by automatically determining the golf hit by the activations of a button."

The Final Office Action also admits that Sugimoto "clearly only discloses one mode of operation of the golf swing (i.e. a manual "three-click" golf swing)" but contends that Microsoft Golf 2001 "incorporates at least two different modes of operation wherein the modes of operation correspond to a manual swing mode (i.e. classic swing mode) and an automated swing mode that determines at least some of the swing parameters automatically such as power and accuracy." The Final Office Action then concludes that it would be obvious in view of Microsoft Golf 2001 "to modify Sugimoto "to enable the player to actively or dynamically determine certain aspects of the player shot automatically or semi-automatically, such as the power of the shot or accuracy of the shot" and that it would be further obvious "to provide a display mechanism such as a golf gauge and cursor that is displayed in an animated fashion to move in accordance with the automatic determination of the players shot parameters such as the automatic determination of the shot power."

Applicants respectfully traverse the rejections and arguments as set forth in the Final Office Action for at least the following reasons:

Steinberg's review of the Microsoft Golf 2001 game indicates that an easy swing mode is provided and that intermediate players can also opt for a classic two or three click method of handling swing. However, there is no indication or suggestion by Steinberg or Sugimoto or in the Hot Shots Golf 2 references or associated screen shots that such swing modes can be *dynamically* selected by a player *during the process of executing each swing*. As presented in these references and other references of record, there is implication only that a player must first use a menu to select a particular desired swing/power mode of operation to be used (e.g., either an easy fully-automated swing mode or a two-click swing mode or a three-click swing mode), and then the game utilizes that specific selected swing mode for each golf club swing until the player manually changes the previously selected swing mode. In particular, the cited reference documents of record do not teach or suggest allowing a player to *dynamically* select for each swing either a fully automatic "easy" swing mode or a two-click semi-auto swing mode or a three-click manual swing mode *during the actual performing of each golf club swing operation performed by the player*.

Moreover, none of the references currently of record, considered either alone or together, teach or suggest a golf video game system that recognizes and distinguishes specific timely patterns/combinations of *different* controller input activations (i.e., specific timely combinations of different input button activations) during the swing operation and uses a particular detected input sequence/pattern of controller button activations to effectively enable the player to dynamically select between multiple golf swing operation modes on-the-fly during performing of the golf club swing operation. In

other words, the use/input of a particular combination of different controller buttons at appropriate times *during and throughout* the golf swing operation enables the player to effectively make an “*on-the-fly*” choice between having the game execute a fully-automatic swing mode of operation or perform a two-click swing mode of operation or perform a three-click manual swing mode of operation and, moreover, enables the player to do so *during each and every golf swing operation* without having to return to a selection menu. In at least this regard, applicants’ claimed implementation is not simply a matter of pressing “reduced amount of buttons” as contended in the Office Action, but rather a novel and unique innovation allowing the player the freedom and flexibility to dynamically select the swing mode/difficulty level “on-the-fly” during each club swing operation.

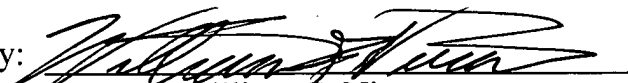
In addition, with respect to the rejections of claims 10 and 25, applicants respectfully submit that neither Sugimoto nor the Steinberg reference, considered either alone or together, teach or suggest that for a swing/shot operation that is based on a “two click” input, selection of the particular mode of the shot operation is performed through the activation of either one of *two different input buttons* (as opposed to two clicks at different times on the same button) and that if the player chooses a specific one of the two input buttons then the shot power will be determined in accordance with the player’s time of activation of the second input but the hit location will be determined autonomously (i.e., a semi-automated type/mode of operation), as set forth by applicants’ claims 10 and 25.

If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, or if any small matter remains outstanding, the Examiner is invited to call the undersigned at the number indicated below.

In view of the Applicants' forgoing amendments and remarks, it is believed that the application is in condition for allowance. Favorable consideration and prompt allowance of this application are respectfully solicited. Respectfully submitted,

NIXON & VANDERHYE P.C.

By:


William G. Niessen
Reg. No. 29,683

901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100